United Nations A/AC.109/2000/3

General Assembly

Distr.: General
29 April 2000

Original: English

Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

American Samoa

Working paper prepared by the Secretariat

Contents

		Paragraphs	*Page*
I.	General	1–3	3
II.	Historical background	4–6	3
III.	Political and constitutional structure	7–13	3
IV.	Population	14–17	4
V.	Economic conditions	18–72	5
	A. General	20–22	5
	B. Public service	23–25	5
	C. Public finance	26–35	6
	D. Land	36–38	7
	E. Fisheries	39–43	7
	1. Domestic fishing tradition	39–41	7
	2. Fishing industry	42–43	8
	F. Other industrial activities	44–47	8
	G. Tourism	48–51	9
	H. Transport and communications	52–63	9
	1. Roadways	52–55	9
	2. Seaports	56–58	9

00-41004 (E) 100500

	3. Airports	59–61	10
	4. Communications	62–63	10
I.	Water, sanitation system and utilities	64–69	10
	1. Water	65	10
	2. Electricity/power	66–67	10
	3. Sanitation	68–69	10
J.	Financial institutions and other businesses	70–72	11
VI.	Social conditions	73–91	11
A.	Labour	73–74	11
B.	Immigration	75–76	11
C.	Public health	77–82	12
D.	Environment	83–84	12
E.	Crime and crime prevention	85–86	13
F.	Housing	87	13
G.	Education	88–91	13
VII.	Participation in international organizations and other arrangements	92–95	13
VIII.	Deliberations at the United Nations on the status of the Territory	96–99	14

I. General

1. American Samoa,[1] a Non-Self-Governing Territory of the United States of America, is located in the South Pacific approximately 3,700 kilometres south-west of Hawaii and 4,350 kilometres north-east of Australia. It consists of seven islands (Tutuila, Aunuu, Ofu, Olosega, Tau, Swains and Rose) and several lesser islands belonging to the Samoan group. Swains Island is 340 kilometres north of Tutuila, and is administered as an integral part of American Samoa. The terrain includes five volcanic islands with rugged peaks and limited coastal plains, and two coral atolls, Rose Island and Swains Island.[2] The total land area of the Territory is 197 square kilometres, about 70 per cent of which is covered by dense forest. Lying near the equator, between 13° east and 16° south-east, American Samoa has a typical tropical climate with a wet and a dry season. Tutuila, the largest island, constitutes 70 per cent of the total land area and is home to 90 per cent of the population. Pago Pago, the capital and the site of one of the Pacific's greatest natural harbours, is located on Tutuila.

2. The Samoan islands are in the path of the south-west trade winds, which bring frequent rains, averaging 200 inches annually and resulting in lush vegetation in most of the islands, most of the time. The mountainous terrain and the heavy annual rainfall have important implications for agriculture and the domestic food supply. The soil of the slopes is thin as a result of leaching and can support only jungle vegetation. The soil in the valleys and on the plains is fertile and suitable for growing tropical fruits and vegetables, but there is not much of it. Commercial agricultural development has been constrained by the scarce supply of level land for which there are a number of competing uses.[3]

3. The economy is based on subsistence farming and fishing, government services, tuna processing and light manufacturing. Future income is expected to be dependent on the canneries, remittances from American Samoans and United States entitlements. The United States dollar is the official currency. English and Samoan are the two major languages. American Samoa has been a United States territory since 1899 and American Samoans are United States nationals, not citizens.

II. Historical background

4. It is generally believed that the Samoan archipelago was settled some 3,000 years ago by people migrating into the Pacific from South-East Asia. The Dutch were the first Europeans to find these islands in 1722. Some settlers came to the islands in the early 1800s, followed by missionaries in 1830. By the late 1800s, internal strife among the chiefs and struggles among the colonial powers of Germany, Great Britain and the United States led to a period of instability. In 1899, after the signing of a treaty by the three powers, Germany annexed Western Samoa and a year later, in 1900, the eastern islands (American Samoa) were ceded to the United States.[3] American Samoa will celebrate its centennial Flag Day on 17 April 2000.

5. Deeds of cession of these islands to the United States were formally accepted by means of an Act of Congress on 20 February 1929. Pursuant to this Act, the native inhabitants were given the status of American nationals. The Act provided for an American Samoan Government with all civil, judicial and military powers to be vested in a designee of the President of the United States.

6. American interest in the eastern end of the Samoan archipelago was mainly military. Pago Pago Harbour, one of the deepest natural harbours in the South Pacific, was seen to be of value as a coaling station for American ships. Consequently, the territory was placed under the jurisdiction of the United States Navy which controlled access to it and appointed its Governor until 1951. An executive order transferred authority over the territory to the Department of the Interior in 1951, paving the way for civilian rule.[3]

III. Political and constitutional structure

7. A constitutional committee was set up in 1954 at the recommendation of the Governor and with the approval of the Secretary of the Interior and the Samoan legislature. The Constitution was completed in 1960 after six years of debate and drafting. Ratified and approved by the Secretary of the Interior on 27 April, it was adopted by the Constitutional Convention of the Samoan people on that same day.[4] It came into effect on 17 October 1960, was revised in 1967 and

subsequently amended in 1970 and 1977. Any amendments or modifications to the Constitution of American Samoa (as approved by the Secretary of the Interior) may be made only by an Act of the United States Congress.

8. In constitutional referenda held in successive years between 1972-1974, American Samoans rejected a proposal to elect their own Governor. In a plebiscite held on 31 August 1976, the people of American Samoa voted to elect their own Governor and the first elected Governor was sworn in on 3 January 1978. The next election is to be held in November 2000. Since 1981, American Samoa has also elected, by direct vote, a non-voting delegate to the United States House of Representatives, who can, however, vote in committees. The current delegate was re-elected in November 1998.

9. As it is an unincorporated and unorganized territory of the United States, not all provisions of the United States Constitution apply in American Samoa. Residents of American Samoa are not United States citizens. Residents of United States territories cannot vote in the United States general election but are permitted to participate in presidential primaries and caucuses. They are United States nationals who can freely enter the United States and work and reside anywhere they choose. Because of the Territory's status, American Samoans have their own immigration laws, and entry into American Samoa by foreigners is not the same as entry into the United States (in contrast with Guam, where United States immigration laws apply).[3]

10. The Constitution provides for separate executive and legislative branches and an independent judiciary. All American Samoans over age 18 are eligible to vote.

Executive

11. The executive branch comprises a Governor and a Lieutenant-Governor elected for four years by universal adult suffrage. The current Governor, Mr. Tauese Pita Sunia and Lt. Governor, Mr. Togiola Tulafono, were elected in November 1996. The next election will be held in November 2000. The Governor is responsible for executing both the American Samoan code and executive rules as well as those United States laws and portions of the United States Constitution that are applicable to American Samoa.

Legislature

12. There is a bicameral legislature, known as the Fono, which comprises an 18-member Senate and a 20-member House of Representatives. The members of the House of Representatives (the lower House) are elected by popular vote, while members of the Senate are chosen by traditional tribal councils. Only *matais* (or chiefs) can become senators. Legislative reappointment is effected at least once every five years.[4] The Fono may pass laws with respect to all local affairs, provided its laws are not inconsistent with United States laws in force in the Territory or with United States treaties or international agreements. The Fono convenes for two 45-day sessions a year.

Judiciary

13. The Chief Justice and Associate Justices of the High Court are appointed by the United States Secretary of the Interior. The judiciary consists of a High Court with jurisdiction throughout the Territory. The High Court is divided into appellate, trial and land and titles courts. District and village court judges are appointed by the Governor of American Samoa subject to approval by the Senate of American Samoa.[3] Since American Samoa is not part of a United States federal judicial district or circuit, there are no statutory provisions for appealing decisions of the High Court.

IV. Population

14. American Samoa's population is growing rapidly, at an annual rate of 2.64 per cent. According to the *World Fact Book* of July 1999, the population is estimated at 63,786. The annual birth rate is 26.53 births/1,000 population and the annual death rate 4.04 deaths/1,000 population. The annual net migration rate is 3.92 migrants/1,000 population. The sex ratio is 1.02 males/female. Life expectancy is 75.46 years with male life expectancy at 71.23 years and female life expectancy at 79.95 years. The median age is 21 years.[3]

15. Ethnically, the population breaks down into 89 per cent Samoan (Polynesian), 2 per cent Caucasian, 4 per cent Tongan and 5 per cent other groups. Fifty per cent of American Samoans belong to the Christian Congregationalist Church, 20 per cent are Roman

Catholic and 30 per cent are Protestant and other denominations. The population speaks Samoan which is closely related to Hawaiian and other Polynesian languages, and English.[2] Most people are bilingual. The literacy rate is 97 per cent.

16. Rapid population growth places a strain on the public infrastructure and on the ability of the Government of American Samoa to provide necessary services. In his State of the Territory address delivered in January 2000, the Governor of American Samoa announced the establishment of a "Population Growth Task Force" to examine the social and environmental issues associated with the Territory's rapid population growth and make recommendations for action. In his estimate, the population would reach 100,000 in 15 years and 170,000 in 40 years.[5]

17. According to the Economic Report of the Bank of Hawaii (1997), some of the population increase is attributable to migration from Samoa, particularly as living standards in American Samoa are higher those that of most of its neighbours.

V. Economic conditions

18. As explained by the 1997 Economic Report of the Bank of Hawaii: "Reliable economic information on American Samoa is scarce and often dated. In recent years, the American Samoan Government has attempted to put together statistics on the economy and labour force, but what is published is available often two or three years after the close of the calendar year. The information vacuum makes analysis of the American Samoan economy incomplete and, by necessity, more qualitative than quantitative."

19. The Economic Report further states: "One important source of information on the American Samoan economy is a periodic report by the United States Department of Labor Employment Standards Administration, which studies the economy in relation to wage and work rules applicable in United States territories. Occasionally, other United States government agencies linked to the Department of the Interior and the General Accounting Office also report on the territory. The most detailed information becomes available only after each population census."

A. General

20. Economic activity is strongly linked to the United States, with which American Samoa conducts the great bulk of its trade. Tuna fishing and tuna processing plants are the backbone of the private sector, with canned tuna as the primary export. Attempts by the Government to develop a larger and broader economy are constrained by American Samoa's remote location, limited transportation and devastating hurricanes. Tourism, a developing sector, is likely to be held back by the current financial difficulties in East Asia.[2]

21. Prospects for agricultural development are limited owing to the small amount of land suitable for cultivation. About 93 per cent of American Samoa's economy is based on United States federal expenditures and the canning industry, while the remaining 7 per cent stems from a small tourism industry and a few businesses. Local businesses are small and sell exclusively to the local market.[6] They face high costs owing to limited access to capital and the need to import most goods and raw materials. They are also vulnerable to competition from neighbouring islands with lower wage levels and from larger, more efficient businesses in the United States.[4]

22. The largest trading partner of American Samoa remains the United States, followed by New Zealand, Australia and Fiji. Imports are mainly food (22 per cent) and petroleum products (17 per cent), machine parts, building materials, textiles and clothing; canned tuna accounts for 97 per cent of exports.[6]

B. Public service

23. The main business of the Government is the management and distribution of federal income and capital subsidies. Civil service workers enjoy the highest wage rates in the Territory, making government work by far the most attractive job option for American Samoans. Many American Samoans with advanced degrees from the United States return to the Territory to work for the Government. A number of expatriates also work for the Government, especially in areas such as financial services where local expertise is scarce.

24. The American Samoan Government is highly centralized and performs all basic government functions. It is also the largest employer.[3] At the end of 1998, the number of employees in the Government of

American Samoa reached 4,788. The Government also manages power, water and sewer systems through the American Samoa Power Authority (ASPA).

25. The traditional communal system provides the basis for a strong Government whereby leaders are responsible not only for preserving the social order but also for the economic welfare of the extended family. The United States federal Government underwrites most of the cost of preserving this system. This affiliation allows the United States to have access to and use of the territory for defence and other purposes.[3]

C. Public finance

26. In 1998, the United States Department of the Treasury reported higher revenue collection from local taxes, while the United States Department of Commerce announced a trade surplus of $167.9 million for the same year. The surplus was $15 million higher than in 1997.[7] In order to improve further the Government's tax collecting system, at the beginning of 1999 the United States Department of the Interior provided the Government with a $400,000 grant.[8]

27. When the United States House of Representatives approved the 1999 budget for American Samoa at $23 million for the operations of its Government and $10.1 million for the construction of capital improvement projects (the same as in fiscal year 1998), the United States Senate Committee on Appropriations approved the level of funding for capital improvement projects, but reduced the funding for operations of the territorial Government by $230,000. At the same time, the Senate Committee restricted the use of $2 million of the capital improvement projects money pending resolution of the debts owed to Hawaiian hospitals by American Samoa and the restructuring of the off-island medical referral programme.[9]

28. A press release issued by American Samoa's Congressman Faleomavaega on 16 February 2000, states that "American Samoa remains the only United States Territory that receives direct financial aid from the federal Government to operate its budget". The 2000 budget proposal before the United States Congress includes a provision for continuing to provide $23.1 million for local government operations in American Samoa and another $10.1 million for capital improvement projects "which should continue to address the large backlog of projects in this area". This funding remains level with that of the past several years.

29. A financial audit report prepared by Deloitte and Touche in 1998 but released only in January 2000 points out that the system of financial accounting and reporting in operation for the Territory in the year ended 30 September 1996 was inadequate.[10] This report and its implication that the actual fiscal situation of the Government in 1997 and 1998 is not known, have caused concern and raised questions in the Fono.

30. In its detailed assessment of the American Samoa Government's financial management in the early 1990s, the United States Congress's General Accounting Office called for more stringent adherence to the regulations applying to the receipt of United States government funds. Since then, the American Samoa Government has taken steps to strengthen its accounting and other financial management methods and exercised stronger control over expense control.

31. On 10 January 2000 in his State of the Territory address delivered before the Fono,[11] Governor Tauese Sunia said that "1999 was a year of unprecedented government activity, a sign of increased growth". However, an increase in the cost of running the government and a decrease in revenues collected were a cause for concern. The Governor stated that he would like to "hold expenses and institute some (additional) means of taxation", whereas the Speaker would like to see more focus on tax collection.

32. For 2000, the American Samoan Government's Budget Office is projecting local revenues of from $53 million to $54 million. However, although the Budget Office had projected local revenues of $53.3 million for 1999, the Treasury collected only $46.7 million.

33. According to a report prepared by the Legislative Financial Office and distributed to the members of the Fono, the American Samoan Government is $7.4 million behind in payroll deductions to the banks, insurance firms, the Retirement Fund, American Samoan Cablevision and a few other entities.[12] The Treasurer is seeking the House's support for legislation that will authorize the use of an anticipated $18.6 million tobacco settlement as a loan to meet some of the more pressing obligations and debts.

34. In 1999, the United States Secretary of the Interior established the American Samoa Economic Advisory Commission to make recommendations to the

Federal Government, the United States Congress and the American Samoan Government, on steps to improve the economy in American Samoa. The Commission, which held its first meeting in Washington, D.C., in March 1999, is to continue meeting through 2000 to formulate a practical plan that will improve the economy of American Samoa.[13]

35. In January 2000, the Head of the Department of the Interior, Office of Insular Affairs (Mr. Danny Aranza), speaking on behalf of the Insular Deputy Secretary, informed Fono members and the Chamber of Commerce that a newly formed Inter-Agency Group on Insular Areas had been established to meet with territorial Governors. The Group's goal was to encourage private sector growth in the territories. Forty federal agencies represented in the Group were also to be asked to assist the Territories.[14]

D. Land

36. American Samoa has a traditional Polynesian economy in which more than 90 per cent of the land is communally owned. Land in American Samoa is not simply another resource but the central element of Samoan society. However, today American Samoa is no longer dependent on land in the same way that it once was. Only 20 per cent of the territory's total land area is developed, supporting an urban economy that has been established over the last four decades.[3]

37. According to a 1995 United States Department of Labor economic report,[3] 7,248 acres (just under 15 per cent) were registered with the Territorial Registrar in 1992. Unregistered land is considered communal or is otherwise unavailable for use because it is inaccessible and unimproved. Registered lands are classified by ownership into five categories:

(a) Freehold (1,014 acres or 14 per cent of the 7,238 acres): most of this was acquired before 1900 under German colonial rule. Most of this land is located in the urban areas around the Pago Pago Harbour, the Tafuna plain and the village of Leone;

(b) Government-owned (1,651 acres or 22.8 per cent): this category includes land acquired by eminent domain (the power of the State to take over land for public use) and land freely conveyed to the American Samoan Government by the Government of the United States or other owners. This land provides and supports public infrastructure;

(c) Church-owned (984 acres or 13.6 per cent): the leasing of church land to parties other than the American Samoan Government requires approval of the Governor of American Samoa. Transfer of title to this land to parties other than American Samoans is against the law;

(d) Individually owned (1,779 acres or 24.5 per cent): this is land that has been acquired by individuals through court action since 1900, through the transfer of communal land to individuals with the consent of the Governor or through other legal means that meet all legal provisions for transfer;

(e) Communal or native (1,820 acres or 25.1 per cent of the total): this land is subject to the authority of the *matai* so as to allow the use of the land by them, and such use may require the consent of the Governor.

38. In March 1999, the Fono approved a bill prohibiting nationals from neighbouring Samoa from acquiring land in the Territory in the future. The bill also changed the definition of "native American Samoans", for purposes of land ownership, to be "full-blooded American Samoans from the main islands of American Samoa". This legislation was reportedly adopted to limit land ownership because American Samoans are prohibited from owning land in neighbouring Samoa.[15]

E. Fisheries

1. Domestic fishing tradition

39. *Fa'a Samoa*, the traditional Samoan way of life, exerts a strong influence in American Samoa on when and why people fish, how they distribute their catch and the meaning of fish within the society. These resources move through a complex exchange system that supports the *aiga* (the extended family) as well as the *matai* (the hierarchy of chiefs) and village ministers. Fish are also a significant component during customary exchange. An American Samoan consumes about 148 pounds of seafood yearly (the highest consumption of seafood in the United States).[16]

40. A decline in shoreline fisheries has resulted in increasing dependence by American Samoans on pelagic fisheries to sustain domestic fishing effort and cultural obligations. Today, it is estimated that American Samoa's domestic commercial fishing fleet

consists of 47 small catamarans equipped for longlining. New fishery development projects funded by the United States Administration for Native Americans (ANA) aim to revitalize American Samoa's fishing heritage. Several non-profit organizations have undertaken projects to provide boats and train young American Samoan fishermen that will target fish for fresh export as well as develop seafood processing enterprises for the pelagic fish.

41. These initiatives are complemented by an amendment proposed by the Western Pacific Fishery Management Council to the Pelagic Fisheries Management. It aims to restrict vessels larger than 50 feet from fishing within 50 nautical miles of most of the American Samoan islands as well as to safeguard American Samoan fishing communities by encouraging the domestic harvest of pelagic fish. A revised amendment is pending approval by the National Marine Fisheries Service (NMFS) and the Secretary of Commerce.[17]

2. Fishing industry

42. The harbour at Pago Pago gives the Territory a natural advantage with respect to landing fish for processing. This harbour, together with the special provisions of United States law that protect the industry, forms the basis of American Samoa's largest private industry which is now more than 40 years old. The Territory is exempt from the Nicholson Act, which prohibits foreign ships from landing their catches in United States ports. The parent companies of American Samoa's fish processing plants enjoy special tax benefits and reduced labour costs. The two canneries employ some 4,000 workers, most of whom are from independent Samoa, but all pay taxes to the American Samoan Government.[4]

43. American Samoa's tuna processing industry is the fourth largest in the world. Last available statistics indicate that, in 1994, American Samoa shipped 211.6 million pounds of canned tuna worth $309.5 million to the United States (see A/AC.109/2023, paras. 16-17).

F. Other industrial activities

44. American Samoa's balance of trade reflects the dominance of the tuna canneries and annual changes are heavily influenced by changes in prices and timing of export shipments. Total estimated imports into American Samoa in 1996 were valued at $407.7 million versus total exports of $312.8 million.[17] Other industrial activities in American Samoa are mostly service-oriented. There are a number of small factories processing soap, perfume and alcohol. High costs and distance to markets restrict the ability of local businesses to export. They remain vulnerable to competition from those neighbouring islands with lower wage levels, and from larger, more efficient business in the United States. The disadvantages of a remote location, lack of skilled manpower, limited infrastructure and the lack of significant comparative advantages over other Pacific sites have yet to be overcome.[16]

45. According to the 1999 report from the United States Department of the Interior, Office of Insular Affairs, three local investors had shown an interest in establishing food processing plants in the Territory. Of the three proposals, the sausage plant is already under way in developing its product to meet the local demand. The proposal for fried and smoked seafood products is still being reviewed and developed. A grant proposal for the third plant, a staple foods plant, was submitted to the American Native Administration (ANA) in 1999.[17]

46. The American Samoan Government continues to promote its "micro-industries" concept which focuses on exports and import substitution.[17] Attracting new industries and creating employment opportunities continued to be top priorities for the territorial Government. At the same time, in 1998, the Government of American Samoa declared its intention to draft legislation aimed at controlling and limiting foreign-owned businesses in the Territory. Under the current laws, two foreigners can set up a business corporation with one local partner. However, in many cases, according to the Government, the local partner simply collects a retainer fee, while the running of the business is left to foreigners.[18]

47. Governor Tauese noted in his State of the Territory address on 11 January 2000, that, according to the Department of Commerce, the construction industry was the fastest growing industry locally. He states that this was evident in terms of an annual 76 per cent increase in start-ups of new construction companies between fiscal years 1997 and 1999. In 1996, there were 60 locally licensed construction companies. Local contractors were awarded 68 per cent of the projects for a total value of $5.3 million. Off-

island contractors were awarded 28 per cent of the projects. The Department of Public Works had designed road projects to be small enough "to encourage the local construction industry to participate fully in the construction programme".

G. Tourism

48. Despite the Government's efforts to encourage tourism, the industry remains relatively small. According to information made available, tourist arrivals totalled 5,800 in 1995, a decline of about 1,500 from the 1992 figure and about half the visitor level in 1991. More recent statistics are not available.[17]

49. American Samoa has little tourist infrastructure, with only one hotel (80 per cent government-owned) and a total of 260 hotel/motel rooms in Tutuila and Mau'a. Proposals for additional hotel rooms have been put forward, but have not received the necessary approvals or financing for construction. In addition to its need for upgraded tourist facilities, the tourism industry needs increased promotion, improved skill training and increased international air travel services.[17]

50. According to the Bank of Hawaii 1997 Economic Report, the Rainmaker (American Samoa's only hotel), has attempted to privatize or to be sold in the past. Plans to revitalize the hotel have been temporarily put on hold and any plans to proceed with the privatization are to be addressed and resolved in the near future.[17]

51. Development of ecotourism is one of the most promising growth areas and it has community support. A major development in this direction was the establishment of the National Park of American Samoa in 1993. Except for American Memorial Park in Saipan, this is the only national park in which the federal Government does not own the land but leases it for 50 years from the American Samoa Government on behalf of the eight villages in the park. The park's 8,000 acres are spread over three islands and include 1,000 acres of the finest coral reef in the United States national park system.[17]

H. Transport and communications

1. Roadways

52. There are approximately 150 kilometres of paved roads and 200 kilometres of secondary roads in American Samoa. According to the Governor, in 1996 the number of registered vehicles was 6,200.

53. There is non-scheduled bus service. American Samoa has maintained its traditional family-owned bussing business. "Aiga" buses connect all areas with Pago Pago.

54. The roads designated as federal highways are eligible for improvement using United States federal highway aid funds, but other roadways are the responsibility of the territorial Department of Public Works (see A/AC.109/2024/Add.1, paras. 38-40). The highway system in American Samoa is generally in poor shape owing to the effect of hurricanes, the age of the roads, inadequate maintenance and past road construction standards that did not meet current heavy traffic loads.

55. The last five-year capital improvement programme had budgeted $1.1 million for fiscal year 1998 for the village rural development programme, with lesser amounts for the following years, totalling $2.16 million for the period from 1998 to 2002.[5]

2. Seaports

56. Pago Pago harbour is an all-weather deep-draught harbour. The main dock is 1,000 feet long, handling ships of up to a 32-foot draught. Pago Pago harbour provides the full complement of equipment and facilities and has a ship repair facility with a 3,000-ton marine railway. The port provides full port facilities, containerized cargo holding, warehousing, trans-shipment operations and tugboat services.[19]

57. However, the general condition of the port continues to deteriorate as a result of an inadequate maintenance budget. At present, capital improvement project funds are being sought to resurface the container yard and to develop an off-site container staging area. A port master plan, to be developed by the Port Administration, will lay the foundation for upgrading the port facilities to international standards. The Port Administration has improved the security and overall safety of the port facilities through the

application of an identification badge system and a vehicle registration programme.[17]

58. Several shipping companies provide regular service to Pago Pago from Asia, other South Pacific ports and the United States. There is a daily inter-island cargo service and a regular ferry service between American Samoa and Samoa. Swains Island is accessible only by boat. Rose Atoll can be visited only by permit since it is a National Wildlife Refuge (see A/AC.109/2023, para. 22).

3. Airports

59. Pago Pago International Airport is owned and operated by the territorial Government under the Department of Port Administration. It is well maintained, but needs a runway extension to allow fully loaded cargo and passenger aircraft to land and take off. The Federal Aviation Administration has already approved funding for extending the runway an additional 1,000 feet.[5] An environmental assessment of adjacent lagoons is being conducted prior to the commencement of the runway project.[17] The airport has a tower with a Federal Aviation Authority (FAA) controller. Several other airport improvement projects are being carried out. The bulk of the projects are being funded through the Passenger Facility Charge (PFC).[17]

60. Pago Pago International Airport is regularly served by a number of airlines that link American Samoa with Hawaii and the United States mainland and other countries in the South Pacific. Hawaiian Air provides direct air service to Honolulu. Polynesian Airlines, Air New Zealand and Air Pacific provide regional air service to New Zealand, Australia, Fiji, Vanuatu, Tonga, New Caledonia, Tahiti and the Cook Islands.[19]

61. There are two smaller airstrips, on the islands of Ofu and Tau. Both have terminal buildings to handle passengers and cargo but they can handle only light aircraft (see A/AC.109/2044/Add.1, para. 48).

4. Communications

62. American Samoa, through the overseas communications satellite corporate link, has direct telephone dialling to most countries. There is a choice of mobile telephone service providers. Internet services to the World Wide Web is provided by the Office of Communications, American Samoa Government.[19]

63. There are several weekly newspapers in the Territory in both the English and the Samoan languages. There is also a daily newspaper, the *Samoa News*, in English, which also publishes a section in the Samoan language. Television, including programmes from the United States, and radio are also available.

I. Water, sanitation system and utilities

64. The American Samoa Power Authority (ASPA) which is Government-owned, provides water, waste-water, solid waste and electric services to customers on five of the seven islands.

1. Water

65. The ASPA Water Division is responsible for providing safe drinking water to 90 per cent of the territory[19] with the remaining part being serviced by outer-village systems. It is responsible for restoring, maintaining and protecting the water supply during natural and man-made hazards. The daily capacity of the water system is 8.0 million gallons per day from high-quality groundwater and surface sources. Water rates are $1.25 per 1,000 gallons.

2. Electricity/power

66. The ASPA generates, transmits and distributes electric power throughout American Samoa (see A/AC.109/2044/Add.1, para. 35). The ASPA has a total of 31 megawatts of capacity. The rate (1996-1997) was $0.1371 per kilowatt hour plus a $0.00720 per kilowatt hour fuel surcharge based on the changes in the cost of diesel to the territory.[19]

67. The electric system, power plants and power lines have been reconstructed to withstand hazards such as cyclones, earthquake and tsunami. Overhead power lines are also being rebuilt to Rural Utility Service (RUS) standards so as to withstand cyclones with wind speeds up to 150 miles per hour.[17]

3. Sanitation

68. The solid waste division of ASPA is responsible for management of the solid waste contract, management and maintenance of the landfills, collection of solid waste, solid waste transfer stations, and collection of scrap metal.[17]

69. The Waste-Water Division of the ASPA operates and maintains the two main sewer systems and satellite systems in Aunuu and Faga'itua. It maintains the lift stations and treatment plants, the sewer system pipes, standby generators and septic tanks.[17]

J. Financial institutions and other businesses

70. The Bank of Hawaii and Amerika Samoa Bank provide full international banking services with correspondent banks in the United States and the Pacific region. Automated teller machines service is also provided at the respective branches.[19]

71. Legal services for all requirements of business are provided by some 20 resident lawyers in 12 firms in active practice. Insurance is provided worldwide by three local companies, two agency offices and one local general insurance broker. These companies provide all insurance requirements necessary for any type of business enterprise located within the Territory.

72. According to the Department of Commerce, Office of Tourism, business is growing in Samoa. There are over 1,900 licensed businesses. Besides the two industry giants Van Camp and Star Kist, businesses include auto dealerships, communications, restaurants, import/export, warehouses, wholesalers, airlines, computers, clothing, produce, catering, construction, heavy equipment, rentals, theatres and handicrafts.[19]

VI. Social conditions

A. Labour

73. The territory is characterized by a low per capita income and a significant unemployment rate (United States, April 1999 submission). After years of experiencing a high unemployment rate (over 16 per cent in 1993), the American Samoa Government now states that unemployment is well below 10 per cent.[11] According to the Governor, 70 per cent of the workforce in the private sector consists of imported workers from outside American Samoa.

74. American Samoa is one of the two United States Territories in which employers are allowed to pay workers less than the mainland minimum wage to ensure compatibility with the prevailing cost of living. Wages in the territory are set not by federal law but by recommendation of a special United States Department of Labor committee that reviews economic conditions every two years and establishes minimum wages by industry. In 1999, minimum wages in American Samoa ranged from $2.45 per hour for the miscellaneous category to $3.87 for stevedoring, lighterage and maritime shipping agencies.[20] Approximately 40 per cent of the labour force is from Samoa. Nationals from Tonga, the Republic of Korea, Japan, China and the United States also work in the Territory. The high proportion of foreign labour comes about through the need to fill the vacuum left by the many young American Samoans who emigrate to Hawaii and the United States mainland in search of job opportunities. Their place in the Territory is often filled by non-nationals, mostly from Samoa (see A/AC.109/2023, para. 31).

B. Immigration

75. American Samoa has its own immigration laws. In 1985, the territorial Government set quotas to regulate the number of foreigners entering the Territory annually to work. The quotas allow the admission of 1,000 persons from Samoa and 400 from other countries. Only American Samoans, United States citizens and nationals, and licensed companies can sponsor foreign workers (see A/AC.109/2023, paras. 32-33).

76. Early in 1997, American Samoa's Governor announced an amnesty for illegal immigrants who had arrived in the Territory before 1 January 1997 if they applied for permanent resident status. In September 1997, over 2,300 residents participated in the Governor's amnesty programme, of whom a majority (1,820) were from neighbouring Samoa. As reported in the press, Governor Tauese instructed the Attorney-General to strictly enforce the immigration laws, which provide that 30-day permits can be renewed only once. After that, the visitor is mandated to leave the Territory.[21] The Governor is also seeking Fono approval of legislation upholding a five-year alien registration receipt card for alien spouses of United States nationals, permanent residents and children of United States nationals born in foreign countries. Currently, alien spouses of United States nationals must obtain a certificate of registration every year.

C. Public health

77. The main hospital in the Territory (see A/AC.109/2080, paras. 26-28), the Lyndon Baines Johnson Tropical Medical Centre, has 140 beds and a staff of 25 physicians. Medical, dental and pharmaceutical services are available 24 hours a day at minimal cost to residents and visitors. For serious cases, off-island treatment, including hospitalization in Guam, Hawaii or the United States mainland, is provided free of charge.

78. As was mentioned above, a significant part of the Government's indebtedness is related to costs associated with off-island medical referrals. In December 1997, medical officials in the United States-affiliated Pacific islands, including American Samoa, received access to a new Internet service at the Tripler Regional Medical Centre in Honolulu, Hawaii, to facilitate medical referrals and patient consultations. The secure web site is open to physicians and other medical personnel in the United States-administered Territories of American Samoa and Guam.[22]

79. Life expectancy in American Samoa is about 75 years. The infant mortality rate for 1996 was 15.2 per 1,000. The crude birth rate for the same year was 27.8, down from 38.1 in 1992. Heart disease, cancer, cerebrovascular disease and traumas have been the leading causes of death.[6]

80. In view of the problems between the present territorial administration and the Fono regarding the establishment of the American Samoa Hospital Authority, as reported in a previous working paper (see A/AC.109/2080, paras. 26-27), in 1997 the Governor had established a five-member hospital governing board to manage the medical centre in order to release funds frozen by the federal Government until American Samoa established a hospital authority with rate-setting authorization. The Board has been very active and maintains close supervision and management oversight of the hospital.[17] The United States Health Care Financing Administration provides about $3 million a year to the Lyndon Baines Johnson Tropical Medical Centre (about 16 per cent of all funding), and most of those funds are used to purchase most of the medicine and medical supplies used at the Centre.[23]

81. In September 1997, a dental health programme was launched in American Samoa's schools to combat tooth decay. A 1995 survey found that the Territory had the highest incidence of tooth decay among 12-year-olds in the South Pacific region. The newly established dental health programme covers all public and private kindergartens and elementary schools.[24]

82. According to a press release from the office of Congressman Faleomavaega dated 15 April 1999, the American Samoan Government has been awarded a grant to provide health coverage to uninsured children through the national Children's Health Insurance Program (CHIP). The American Samoa Government is expected to receive in excess of $750,000 over the next three years. Nationally, the programme provides health care to 2.5 million children who previously did not have health insurance.

D. Environment

83. To help mitigate the effects of human use, the American Samoa Coastal Management Programme was established for the coastal zone, which includes all land (126 miles of coast) and sea within three miles of the shoreline. The key legislation is the American Samoa Coastal Management Act of 1990. The American Samoa Department of Commerce oversees all construction or earth-moving activities on the island and tackles concerns of fishery habitat loss, coastal hazards, including hurricanes, flooding and erosion, marine debris and solid waste. The programme covers the Fagatele Bay National Marine Sanctuary, mangrove wetlands, the lowland rainforest, the uplands rainforest national park and the coral reefs. Coastal managers strive to include traditional leaders in the management process as 90 per cent of the land falls under the land tenure system. Eight local government agencies review major land activities.[19]

84. Under the Oil Pollution Act Fund of the National Oceanic and Atmospheric Administration (NOAA), an additional $5.2 million was awarded in September,[25] for the removal of longliner vessels from the inner harbour in American Samoa. These funds will be used in consultation with the Coast Guard and the American Samoan Government to fully remove the vessels. As part of the ongoing clean-up, a salvage tugboat had docked in American Samoa and would take some two months to complete the salvage operation.[16]

E. Crime and crime prevention

85. Recent crime statistics are not yet available. According to the local media, in general the most common offences are disorderly conduct, assault, burglary, larceny, drunken driving, property damage and sex-related offences. In 1998, Governor Tauese Sunia established the Office of Territorial and International Criminal Intelligence and Drug Enforcement, which was to operate independently of the regular police.

86. In February 1997, a new anti-drug bill introduced in American Samoa provided for tougher penalties for drug-related crimes. The Office of Territorial and International Criminal Intelligence and Drug Enforcement has been developing close cooperation with Interpol, the Federal Bureau of Investigation, United States Customs and other federal agencies with a view to improving its readiness to combat corruption in government and drug trafficking. In a related development, the federal Office of Community-Oriented Policing Services, administered by the United States Department of Justice, announced in August 1997 a grant of $563,625 to the American Samoa Department of Public Safety. The grant can be used to pay 75 per cent of the cost of hiring additional officers for a three-year period.[26] In January 1999, the Department of Public Safety enrolled 81 police trainees for the Twenty-sixth Police Academy.[7]

F. Housing

87. During his State of the Territory address in January, Governor Tauese stated that the Department of Public Works (DPW) reviews an average of five proposals for licences to build private homes, private schools and churches. However, as no recent statistics are available, according to the 1996 American Samoan Government Statistical Digest (the last published), the DPW approved 158 "new structures" in 1995. In addition to these, over 560 other building permits were issued for repairs and other projects.[11] In 1994, a total of 674 land-use permits were issued. There were 187 permits for new structures. The total estimated value of all construction excluding government projects was $14 million.[27]

G. Education

88. The 22 elementary schools and 6 high schools are in generally good condition, considering the fact that most of the existing buildings are of the *fale* (open house) style. There is a growing need for classrooms owing to the high rate of population increase. School buses, too, are in short supply and new buses need to be acquired on a regular basis.[17]

89. The educational system in American Samoa is broadly based on the United States pattern of eight years' attendance in elementary school and four years' enrolment in high school. In the academic year 1998/99, enrolment in public schools alone reached 16,104 students.

90. The American Samoa Community College, established in 1970, offers two-year degree courses in arts and sciences and programmes offering certificates of proficiency in vocational and clerical skills, business and nursing. In the academic year 1998/99, the College's enrolment was about 770 students.[28]

91. In June 1997, the United States Department of Education's Literacy Challenge Fund awarded American Samoa a grant of $240,930 to improve computer facilities at schools. The grant will be used to provide students with compact disk read-only memory (CD-ROM) capability and worldwide Internet access.

VII. Participation in international organizations and other arrangements

92. American Samoa is a member of several regional organizations, including the South Pacific Commission, the Pacific Basin Development Council, the Pacific Tuna Development Foundation, the Pacific Islands Association, the Asian-South Pacific Bureau of Adult Education, the Pacific Asia Travel Association, the South Pacific Regional Environment Programme and the Council of Pacific Arts. It also belongs to such United States organizations as the National and Western Governors' Conferences. The Government of American Samoa has signed memoranda of understanding with the Governments of Samoa and Tonga on mutual economic cooperation and has sent trade missions to a number of countries in the Pacific region.

93. In August 1991, American Samoa, together with two other Territories administered by the United States, Guam and the United States Virgin Islands, established the Alliance of Dependent Territories, an organization that seeks to promote friendly relations and economic and technical cooperation among its members. The alliance will also endeavour to obtain observer status in the United Nations General Assembly.

94. American Samoa participated as an observer in the Preparatory Committee for the Global Conference on the Sustainable Development of Small Island Developing States, as well as in the Conference itself, which was held in Barbados from 25 April to 6 May 1994.

95. American Samoa belongs to various regional bodies of the United Nations system, including the World Health Organization (WHO), the Regional Office for the Western Pacific and the WHO Pacific Regional Centre for the Promotion of Environmental Planning and Applied Studies. The Territory has been an associate member of the Economic and Social Commission for Asia and the Pacific since 1988 (see A/AC.109/2023, paras. 40-43).

VIII. Deliberations at the United Nations on the status of the Territory

96. In a statement made in 1993, the Lieutenant-Governor of American Samoa indicated that American Samoa preferred to remain a Territory of the United States (see A/AC.109/1159, paras. 25-31). This position remains unchanged. In February 1999, the United States Government appointed former Governor of Hawaii John Waihee as head of an economic advisory commission established to suggest policies for expansion and diversification of the Territory. Its primary task was to develop a detailed plan that would bring self-sufficiency to American Samoa.[29]

97. During the deliberations of the Fourth Committee at the fifty-fourth session of the General Assembly, on 4 October 1999, the Rapporteur of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples stated that the Special Committee had included American Samoa in its consideration of small island Territories.

98. In his address to the Fourth Committee of the General Assembly at the United Nations, on 6 October 1999, the United States representative said: "Although we continue to believe that the standards applied in resolutions 1514 (XV) (of 14 December 1960) and 1541 (XV) (of 15 December 1960) are too narrow, the United States offers its full support to those countries choosing independence and is proud to work with them on an equal and sovereign basis. For territories that do not choose independence, however, the United States fully supports the right of the people in those Non-Self-Governing Territories to a full measure of self-government, if that is what they choose. The United States reaffirms its respect for the right of self-determination, which, we note, includes the options of integration and free association, but is not limited by them."

99. On 6 December 1999, the General Assembly adopted without a vote resolutions 54/90 A and B, a consolidated resolution on 11 Non-Self-Governing Territories, section I of Assembly resolution 54/90 B being devoted specifically to American Samoa (see A/54/PV.71).

Notes

[1] The information contained in the present working paper was derived from published sources.

[2] Central Intelligence Agency, *World Fact Book 1999*.

[3] Bank of Hawaii, 1997 Economic Report: American Samoa.

[4] Patricia Larkin and Gary Chung, *Constitutions of Dependencies and Special Sovereignties* (Dobbs Ferry, New York, Oceana Publications, February 1986).

[5] *Samoa News*, 13 January 2000.

[6] Submission by the United States of America on American Samoa, April 1999.

[7] *Samoa News*, 15 January 1999.

[8] Ibid., 9 March 1999.

[9] Ibid., 24 July 1998.

[10] Ibid., 14 January 2000.

[11] Ibid., 12 January 2000.

[12] Ibid., 18 February 2000.

[13] Press release, Congressman Faleomavaega, 25 March 1999.

[14] *Samoa News*, 1 February 2000.

[15] Agence-France Presse, 31 March 1999 (NEWSEDGE).

[16] *Samoa News*, 16 February 2000.

[17] United States Department of the Interior/Office of Insular Affairs Report, 1999.

[18] *Samoa News*, 16 February 2000.

[19] Samoanet.com (Department of Commerce and of Tourism, 1996-1997).

[20] Press release, Congressman Faleomavaega, 7 June 1999.

[21] *Samoa News*, 27 August 1998.

[22] Pacific Islands Development project, 24 December 1997.

[23] *Samoa News*, 2 and 13 September 1997.

[24] *PACNEWS*, 28 September 1997.

[25] Press release, Congressman Faleomavaega, 17 September 1999.

[26] *Samoa News*, 26 August 1997.

[27] *American Samoa Statistical Digest*, 1995, p. 91.

[28] *Samoa News*, 20 April 1999.

[29] Reuters, 12 February 1999.